

Remarks

Claims 1-37 remain in the application. Claims 1, 10, 15, 25, and 35 are independent. Claims 35-37 are being cancelled. Applicants reserve the right to file these cancelled claims in a continuing application. Claims 1, 15, 16, 18-22, 25, 26, 28, 29, and 30 are being amended. Applicant submits no new matter is being introduced by way of this Amendment. Applicant respectfully traverses the rejections and objections. Reconsideration of this application in light of the above amendments and the following remarks is respectfully requested.

35 U.S.C. 101 rejection

Claims 10-14 were rejected under A 35 U.S.C. 101 as not falling within one of the four statutory categories.

Applicants respectfully disagree. More specifically, Claim 10 is a gateway, which includes a channel management function which, compiles said retrieved information into a single self contained response and transmits said single response via said first interface and the mobile network to the e-mail client. In such a case, the compilation of a single self contained response is clearly tied to a particular machine, namely the gateway, and creates a transformation, namely the response. Accordingly, Applicants believe the rejection of Claim 10 is improper. Since Claims 11-14 depend from Claim 10 they too inherit this claim feature. Acceptance is requested.

35 U.S.C. 112, paragraph 2

Claims 18, 19, 28, and 29 were rejected under 35 U.S.C. 112, paragraph 2 for having improper antecedent basis.

In an effort to expedite prosecution, Applicants are amending Claims 18, 19, 28, and 29 to now recite proper antecedent basis. Accordingly, Applicants believe the rejection of Claims 18, 19, 28, and 29 under 35 U.S.C. 112, paragraph 2 is overcome. Acceptance is requested.

35 U.S.C. 103, rejection

Claims 1-17, 20-27, and 30-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Munarriz et al., U.S. Patent Application Publication 2002/0156871, hereafter “Munarriz” in view of Kadyk et al., U.S. Patent Number 6,895,425, hereafter “Kadyk.”

Applicants believe a brief overview would be helpful without limitation to the claims. In an example embodiment, the gateway 16 may use single self-contained request/response pairs 54, for example using HTTP objects. These request/response pairs 54 also allows, for example, piggybacking of multiple requests in a single self-contained pair. Indeed, both a request for the inbox view as well as a request for the list of folders may be combined in a single request transmitted to the gateway 16 by the client 40 (See Specification, paragraph [0055]). By way of distinction, an embodiment of the invention comprises the following “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” as claimed in Claim 1. Use of the plurality of transactions is absent from the cited references.

In particular, Munarriz provides a messaging server program on a server, which receives a message file and on recognizes a message. Subsequently, the message is transferred by SMTP to a home server of an intended recipient. The server combines in a single server communicating with the client and routing the message to its destination (by SMTP). It is clear from the above that Munarriz is using a single message, e.g., “a message”, and not multiple requests, e.g., a plurality of transactions (see Munarriz, paragraph [0044] – [0045]).

Kadyk does not provide the missing claim feature of “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” to Munarriz. In particular, Kadyk discloses using an expert proxy server that is coupled to a number of wireless devices through a wireless network, and to a number of server computer systems through an external network such as, for example, the Internet. The expert proxy server acts as an agent for a wireless device by providing a service for the wireless device. Specifically, the expert proxy server determines that a service is to be provided to the wireless device. Next, the expert proxy server identifies an application that provides the service and then communicates with the identified application that provides the service (See Kadyk, Abstract). Kadyk also references the use of a sequence of executable instructions as cited by the Office

Action (Kadyk, Col. 4, lines 1-5). A sequence of executable instructions is not the same thing as a gateway retrieving from a broadband network using a plurality of transactions. Therefore, Applicants submit that Kadyk does not consider the following “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions.”

Accordingly, neither Munarriz nor Kadyk either taken separately or in combination do not teach or suggest the claim feature of “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” as recited in Claim 1. Accordingly, Applicants believe Claim 1 is in condition for allowance. Claims 2-9 depend from Claim 1 so they too should be allowable for at least the same reasons as Claim 1. Claims 10, 15, 25, and 35 include similar claim features as Claim 1. Since Claims 11-14 depend from Claim 10, Claims 16-17 and Claims 20-24 depend from Claim 15, Claims 26-27 and Claims 30-34 depend from Claim 25, they too should be allowable for at least the same reasons as stated above.

Claims 18 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Munarriz-Kadyk in view of Wener et al., U.S. Patent Application Publication 2006/0085429, hereafter “Wener.”

Wener discloses an acknowledged delivery of a full email state change to mobile email clients after involuntary disconnects, but does not consider a gateway retrieving from a broadband network using a plurality of transactions. Therefore, Wener does not add the missing claim feature of “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” to Munarriz or Kadyk.

Accordingly, Munarriz, Kadyk, and Wener either taken separately or in combination do not teach or suggest the claim feature of “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” as recited in Claim 1.

Claims 15 and 25 include similar claim features as Claim 1. Since Claim 18 depends from Claim 15 and Claim 28 depends from Claim 25, they too should be allowable for at least the same reasons as stated above.

Claims 19 and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Munarriz-Kadyk in view of Gorty et al., U.S. Patent Application Publication 2005/0171996, hereafter “Gorty.”

Gorty discloses a communications system includes a polling agent that can be part of a mobile office platform for polling an electronic mailbox to retrieve unique identifiers (UID's) of electronic messages. A database stores the UID's resulting from the polling operation. The polling agent is operative for polling the electronic mailbox and retrieving only those UID's that are newer than the UID's from a previous polling to determine that new messages are available (See Gorty, Abstract). Gorty does not however consider a gateway retrieving from a broadband network using a plurality of transactions. Therefore, Gorty does not add the missing claim feature of “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” to Munarriz or Kadyk.

Accordingly, Munarriz, Kadyk, and Gorty either taken separately or in combination do not teach or suggest the claim feature of “gateway retrieves at least said e-mail related information from said e-mail server via said broadband network using a plurality of transactions” as recited in Claim 1.

Claims 15 and 25 include similar claim features as Claim 1. Since Claim 19 depends from Claim 15 and Claim 29 depends from Claim 25, they too should be allowable for at least the same reasons as stated above.

Claims 35 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Munarriz-Kadyk in view of Cocchi et al, “Pricing in computer networks: motivation, formulation, and example.”, hereafter Cocchi.

Since Claims 35 and 37 are now cancelled, Applicants respectfully submit the rejection of Claims 35 and 37 is now moot.

Conclusion

It is clear from the foregoing that the claims are in condition for allowance. An early formal notice of allowance of claims is respectfully requested. Examiner is invited to contact the undersigned with any questions.

Please charge any deficiency or credit any overpayment that may be due in this matter to Deposit Account Number 50-0270.

Respectfully submitted,

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I hereby certify that this correspondence is being filed with the U.S. Patent and Trademark Office via EFS-Web on the date indicated below.

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Signed

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Date